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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

YITZCHOK FRANKEL *et al.*,
Plaintiffs,

v.

REGENTS OF THE UNIVERSITY
OF CALIFORNIA *et al.*,
Defendants.

Case No.: 2:24-cv-04702

**[PROPOSED] ORDER
GRANTING PLAINTIFFS'
MOTION FOR PARTIAL
SUMMARY JUDGMENT AND
PERMANENT INJUNCTION**

Judge: Hon. Mark C. Scarsi
Hearing: May 12, 2025, 9:00 a.m.
Courtroom: 7C

*Admitted *pro hac vice*. ‡Not admitted to the D.C. Bar; admitted only in Texas. Supervised by licensed D.C. Bar members.

1 Pending before the Court is Plaintiffs' motion for partial summary
2 judgment and a permanent injunction as to Counts III, IV, and V in the
3 First Amended Complaint. Having reviewed the papers filed in support
4 of and in opposition to this motion, as well as all supporting declarations
5 and exhibits, the Court hereby GRANTS Plaintiffs' motion on the
6 following basis:

7 The Court finds that Defendants have made available certain of its
8 programs, activities, and campus areas when Jewish students and
9 faculty, including Plaintiffs, were excluded because of their genuinely
10 held religious beliefs. The Court further finds that Defendants have
11 facilitated and cooperated in the exclusion of Jewish students and faculty
12 from those programs, activities, and campus areas, including by
13 instructing the police and other security not to intervene and in installing
14 metal bike racks around the perimeter of the encampment. In so doing,
15 Defendants' actions had the effect of excluding individuals from public
16 benefits based on their religious status.

17 The Court further finds that Defendants treated comparable secular
18 activities, namely supporting countries other than Israel, more favorably
19 than Plaintiffs' religious exercise of supporting Israel's right to exist in
20 its homeland.

21 The Court further finds that Defendants permit discretionary
22 mechanisms of individualized exemptions, as UCLA repeatedly asserts
23 that it retains broad discretion in responding to campus demonstrations.

24 The Court further finds that Defendants lack a compelling
25 governmental interest for their actions, and that the actions they took
26 were not narrowly tailored to accomplish their asserted interests.

1 The Court therefore concludes that Plaintiffs have demonstrated
2 success on the merits of their claims that Defendants' actions violated the
3 Free Exercise Clause of the First Amendment to the United States
4 Constitution (Counts III, IV, and V of the First Amended Complaint).

5 The Court also concludes that Plaintiffs have shown that they will
6 suffer irreparable harm without relief, that the balance of equities favors
7 them, and that an injunction is in the public interest.

8
9 Based on these findings of fact and conclusions of law, the Court
10 ORDERS as follows:

11 1. Defendants Regents of the University of California, Drake, Frenk,
12 Hunt, Beck, Gorden, and Lurie,¹ their successors, their officers,
13 agents, servants, employees, and attorneys, and any other persons
14 acting in concert or actively participating with them (collectively,
15 "Defendants"), are permanently enjoined from offering any
16 ordinarily available programs, activities, or campus areas to
17 students and/or faculty if Defendants know the ordinarily available
18 programs, activities, or campus areas are not fully and equally
19 accessible to Jewish students and/or faculty.

20 2. Defendants are permanently enjoined from knowingly allowing or
21 facilitating the exclusion of Jewish students and/or faculty from
22

23 ¹ Julio Frenk became UCLA's new Chancellor on January 1, 2025, and
24 thus is automatically substituted for the official-capacity claims against
25 former Chancellor Gene Block. *See* Fed. R. Civ. P. 25(d). Similarly, Steve
26 Lurie became UCLA's new Associate Vice Chancellor for Campus and
27 Community Safety on February 1, 2025, and thus is automatically
28 substituted for the official-capacity claims against former Associate Vice
Chancellor Rick Braziel. *See id.*

ordinarily available portions of UCLA's programs, activities, and campus areas, whether as a result of a de-escalation strategy or otherwise.

3. Defendants shall instruct Student Affairs Mitigator/Monitor ("SAM") and any and all campus security teams (including without limitation UCPD and UCLA Security) that they are not to aid or participate in any obstruction of access for Jewish students and/or faculty to ordinarily available programs, activities, and campus areas.
4. For purposes of this order, all references to exclusion of Jewish students and/or faculty shall include exclusion of Jewish students and/or faculty based on religious beliefs concerning the Jewish state of Israel.
5. Nothing in this order prevents Defendants from excluding any student or faculty member, including Jewish students and/or faculty members, from ordinarily available programs, activities, and campus areas pursuant to UCLA code of conduct standards applicable to all UCLA students and/or faculty.
6. Absent a stay of this injunction by the United States Court of Appeals for the Ninth Circuit, this permanent injunction shall take effect immediately.
7. The Court will retain jurisdiction of this action to, *inter alia*, supervise compliance with its order.

1 Dated: _____

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3 The Honorable Mark C. Scarsi
4 United States District Judge
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SUMMARY JUDGMENT AND PERMANENT INJUNCTION